

**Wally
Herger**
Congressman

2nd District • California

NEWS

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HERGER INTRODUCES "SPECIES RESCUE ACT"

MEASURE WILL EXPEDITE REPAIRS AND MAINTENANCE OF AREA LEVEES

(WASHINGTON, D.C.) Citing the need to put an end to lengthy delays that plague many life-saving levee repair efforts, Rep. Wally Herger has introduced the "Species Rescue Act," which tackles the cause of many repair delays. The legislation was developed in cooperation with the California Central Valley Flood Control Association, The Flood Control Committee of Yuba-Sutter Counties, local elected officials, and local reclamation districts.

"One year ago this week, three people drowned when a levee that was supposed to be repaired six years earlier broke near the community of Arboga," Herger said. "This measure allows species to be rescued without causing repair delays on life-saving levees. We can protect and save human life without destroying endangered or threatened species."

During the floods of early 1997, all 10 counties in the Northern California Second Congressional District were declared federal disaster areas. The flooding drowned six in Northern California and caused \$2.8 billion in damage statewide. Near the community of Arboga, three people drowned when a levee gave way. The levee was originally determined to be in need of repair in 1990 when a U.S. Corps of Engineers report stated that "loss of human life is expected under existing conditions.." However, delays resulting from enforcement of the Endangered Species Act(ESA) prevented the repairs from being completed.

The "Species Rescue Act" amends the ESA to require the expedited removal and relocation of threatened species and endangered species by the federal agencies responsible of species that would be harmed in the course of levee reconstruction, maintenance, or repair. Federal agencies have 60 days for consultation and then 60 days to rescue the species.

"Had this legislation been law in 1990, the levee near Arboga would have been repaired without delay and three lives may have been saved," Herger said. "We must begin to place human life as the highest priority. It shouldn't take six years to fix a levee."

(more)

Species Rescue Act

Currently, local governments are forced to pay for expensive species relocation and other activities related to the enforcement of the ESA. This legislation requires the U.S. Fish and Wildlife Service to perform species relocation, and prohibits the service from forcing any state or local official to conduct or pay for mitigation. Additionally, the legislation permits the status of a levee to change from critical habitat to a flood control structure once the species are removed -- therefore exempting the levee from further ESA enforcement.

"Protecting species is clearly a federal responsibility and our local communities should not have to pay for it," Herger added. "We are giving the Fish and Wildlife Service a reasonable amount of time to remove the species, but once that's complete levee repairs and maintenance can be conducted without delay."

The measure is supported by the California Central Valley Flood Control Association, , the Yuba-Sutter Flood Control Committee, members of the Yuba County Board of Supervisors, Sutter County Board of Supervisors, Reclamation District No. 784, Reclamation District No. 1500, The California Farm Bureau, and The Butte County Farm Bureau.

The "Species Rescue Act" has been introduced as H.R. 2894.

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**THE FOLLOWING HAVE WRITTEN LETTERS
OF SUPPORT FOR H.R. 2894, THE SPECIES RESCUE ACT.**

Members of the Yuba County Board of Supervisors

Sutter County Board of Supervisors

The Flood Control Committee, Yuba-Sutter County

Central Valley Flood Control Association of California

California Farm Bureau Federation

Butte County Farm Bureau

Reclamation District No. 784 (Marysville)

Reclamation District No. 1500 (Robbins)